

Express Mail Label No. EL934409686US

PATENT
Attorney Docket No. CYM-037
(2174/49)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ostgaard et al. CONFIRMATION NO.: 4705
SERIAL NO.: 10/008,379 ART UNIT: 2621
FILING DATE: November 5, 2001 EXAMINER: Not yet assigned
TITLE: Cytological Imaging Systems and Methods

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice to File Missing Parts mailed December 21, 2001, enclosed are an executed Declaration/Power of Attorney form and a Preliminary Amendment for filing in the above-referenced application. Upon entry of the Preliminary Amendment, there will be 23 total claims pending, including 5 independent claims, as reflected in the enclosed Fee Transmittal form.

Also enclosed is a check in the amount of \$2,012.00 for payment as follows:

Basic filing fee	\$740.00
Excess claim fees	\$222.00
Surcharge – late filing fee or oath	\$130.00
Extension for Reply within third month	\$920.00

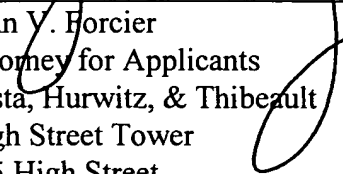
Please charge Deposit Account No. 20-0531 for any additional fees that may be due in this matter.

Respectfully submitted,

Date: May 21, 2002
Reg. No. 42,545

Tel. No. (617) 248-7675
Fax: (617) 248-7100

2407730_1



John V. Forcier
Attorney for Applicants
Testa, Hurwitz, & Thibault
High Street Tower
125 High Street
Boston, Massachusetts 02110

05-23-02

T.D

\$mp #3

Express Mail Mailing Label No. EL934409686US



TRANSMITTAL FORM

Application Serial Number	10/008,379
Filing Date	November 5, 2001
First Named Inventor	Ostgaard
Group Art Unit	2621
Examiner Name	Not Yet Assigned
Attorney Docket No.	CYM-037
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form

<input checked="" type="checkbox"/> Amendment/Response
<input checked="" type="checkbox"/> Preliminary
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]

<input checked="" type="checkbox"/> Petition for Extension of Time

<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations

<input type="checkbox"/> Certified Copy of Priority Document(s)

<input type="checkbox"/> Sequence Listing submission
<input type="checkbox"/> Paper Copy/CD
<input type="checkbox"/> Computer Readable Copy
<input type="checkbox"/> Statement verifying identity of above | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)

<input type="checkbox"/> Formal Drawing(s)

<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal

<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)

<input type="checkbox"/> Terminal Disclaimer

<input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application

<input type="checkbox"/> Small Entity Statement

<input type="checkbox"/> CD(s) for large table or computer program

<input type="checkbox"/> Amendment After Allowance

<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences

<input type="checkbox"/> Appeal Brief (in triplicate)

<input type="checkbox"/> Status Inquiry

<input checked="" type="checkbox"/> Return Receipt Postcard

<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8

<input checked="" type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8

<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)

<input checked="" type="checkbox"/> Response to Notice to file Missing Parts |
|--|--|--|

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 Date: May 21, 2002
 Reg. No. 42,545
 Tel. No.: (617) 248-7675
 Fax No.: (617) 248-7100
 John V. Forcier
 Attorney for Applicant(s)
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110

OFFICE OF THE COMMISSIONER OF PATENT & TRADEMARKS **FEES TRANSMITTAL** **FY 2002**

MAY 21 2002

Complete if Known

Application Serial Number	10/008,379
Filing Date	November 5, 2001
First Named Inventor	Ostgaard
Group Art Unit	2621
Examiner Name	Not Yet Assigned
Attorney Docket No.	CYM-037

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

FEE CALCULATION**1. FILING FEE****Large Entity**

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	740.00
330	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
--	--------------	--------------	------	--------

Total Claims	23	- 20 = 3	x \$ 18.00 =	54.00
--------------	----	----------	--------------	-------

Independent Claims	5	5 - 3 = 2	x \$ 84.00 =	168.00
--------------------	---	-----------	--------------	--------

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL: 962.00

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 962.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
-------------------------------	---------------------------------	---------------	------	----------

Total	-	=	x \$ 18.00 =	
-------	---	---	--------------	--

Indep.	-	=	x \$ 84.00 =	
--------	---	---	--------------	--

☐ First Presentation of Multiple Dep. Claim + \$280.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 962.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	920.00
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 1,050.00

SUBTOTAL (1) 962.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 1,050.00

TOTAL (\$) 2,012.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
 Testa, Hurvitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: May 21, 2002
 Reg. No.: 42,545
 Tel. No.: (617) 248-7675
 Fax No.: (617) 248-7100

John V. Forcier
 Attorney for the Applicants
 Testa, Hurvitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110



Express Mail Mailing Label No. EL934409686US

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,379	11/05/2001	Roy Ostgaard	CYM-037

021323
TESTA, HURWITZ & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110



CONFIRMATION NO. 4705

FORMALITIES LETTER



OC000000007226632

Date Mailed: 12/21/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2046.

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	54.00 OP
04 FC:102	168.00 OP

 - \$1458 for 81 total claims over 20.
 - \$588 for 7 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2916.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);